following the ingestion of lactose in overnight fasted rats. Rats were studied 1 week following AAVlac or PBS administration. Figure B shows the results of oral lactose challenge repeated after 14 days on the lactose diet. Figure 1C shows the weight of rats at baseline, 1 week and 2 weeks following a 14 day lactose and water diet. The diet commenced 1 week following oral AAVlac or PBS treatment.

Figures 2A-2B. Figure 2A shows the change in plasma glucose following the ingestion of lactose in overnight fasted rats, which were challenged 120 days following a single peroral dose of AAVlac or PBS. Figure 2B shows the weights of rats at baseline, 1 week and 2 weeks following a 14 day lactose and water diet. The diet commenced 120 days following oral AAVlac or PBS treatment.--

IN THE CLAIMS:

Kindly cancel without prejudice claims 7 and 9.

--12. (Amended) The method of claim 1, wherein said non-AAV gene of interest comprises a β-galactosidase gene operatively linked to a promoter.--

REMARKS

I. At the bottom of page 2 of the Office Action, claims 1-6, 8 and 10-12 were rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1-8 of U.S Patent No. 6,110,456.